



Fair Political Practices Commission

428 J Street, Suite 620, Sacramento, CA 95814

www.fppc.ca.gov

NEWS RELEASE

For Immediate Release:
October 12, 2005

Contact: Jon Matthews
Whitney Barazoto
(916) 322-7761

FPPC enforcement decisions: October 12, 2005

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Wednesday, October 12, 2005. Decisions are divided by category and include a brief summary of each case and the total amount of the fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the October agenda on the FPPC website at <http://www.fppc.ca.gov>. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions ordered by the commission. Exhibits in support of the stipulations and default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Money Laundering Violations

In the Matter of De Anza College, FPPC No. 02/363. Staff: Senior Commission Counsel Deanne Canar and Supervising Investigator Dennis Pellón. Respondent De Anza College is a community college located in Cupertino, and one of two colleges in the Foothill-De Anza Community College District. In November 1999, Respondent laundered a campaign contribution to a local ballot measure committee, by making a \$75,000 contribution to the Citizens for Foothill-De Anza, a Committee to Support Measure E, in the name of the De Anza Associated Student Body, instead of its own name, in violation of section 84301 of the Government Code (1 count). Respondent De Anza College also failed to file a major donor committee campaign statement, disclosing its campaign activity in 1999, in violation of section 84200, subdivision (b) of the Government Code (1 count). \$4,000 fine.

-more-

In the Matter of Terry Tognazzini and RR Tog, L.P., d.b.a. Red Roof Inns Southern California, FPPC No. 03/617. Staff: Senior Commission Counsel Deanne Canar and Investigator III Sandra Buckner. Respondent Tognazzini, who has franchise agreements with the Accor hotel group, owns and operates numerous hotel properties in Southern California. One of Respondent Tognazzini's companies is Respondent RR Tog, L.P., doing business as Red Roof Inns Southern California. In 2002, Respondents Terry Tognazzini and Red Roof Inns Southern California engaged in a pattern of campaign money laundering, by making campaign contributions totaling \$6,735 to local candidates and officials in the names of the employees of Respondent Red Roof Inns Southern California, instead of the company's own name, in violation of section 84301 of the Government Code (18 counts). \$68,000 fine.

Campaign Reporting Violations

In the Matter of Chris Norby, Norby for Supervisor, and Michael Di Costanzo, FPPC No. 02/432. Staff: Senior Commission Counsel Deanne Canar and Accounting Specialist William Marland. Respondent Chris Norby was a successful candidate for a seat on the Orange County Board of Supervisors in the March 5, 2002 election, having previously served for 18 years on the Fullerton City Council. Respondent Norby for Supervisor is the controlled committee of Respondent Norby, and Respondent Michael Di Costanzo was the treasurer of Respondent Committee. Respondents failed to disclose occupation and employer information for 98 contributions of \$100 or more, in violation of section 84211, subdivision (f) of the Government Code (2 counts); and failed to return contributions totaling \$27,550 within 60 days of receipt for which they did not have occupation and employer information, in violation of section 85700 of the Government Code (2 counts). \$10,000 fine.

In the Matter of Stephen E. Benson, Committee to Elect Steve Benson Judge, and Eugene C. Hancock, FPPC No. 02/503. Staff: Senior Commission Counsel Deanne Canar. Respondent Stephen E. Benson was a successful candidate for Butte County Superior Court in the November 7, 2000 general election, having qualified for that election by receiving the second highest number of votes in the March 7, 2000 primary election. Respondent Committee to Elect Steve Benson Judge was the controlled committee of Respondent Benson, and Respondent Eugene C. Hancock was the treasurer of Respondent Committee. In 2000, Respondents failed to deposit a \$71,000 loan made to Respondent Benson to support his election to the Butte County Superior Court into the campaign bank account of Respondent Committee, in violation of section 85201, subdivision (c) of the Government Code (1 count); failed to disclose the \$71,000 loan on a pre-election campaign statement of Respondent Committee, in violation of sections 84211, subdivision (f), and 84216, subdivision (c) of the Government Code (1 count); and failed to disclose the true source of the outstanding \$71,000 loan on two separate campaign statements of Respondent Committee, in violation of sections 84211, subdivision (f), and 84216, subdivision (e) of the Government Code, and of section 84211, subdivision (g) of the Government Code (2 counts). \$7,000 fine.

-more-

In the Matter of Retired Saratoga Volunteer Firemen, Inc., FPPC No. 02/012. Staff: Commission Counsel Galena West and Supervising Investigator Dennis Pellón. Respondent Retired Saratoga Volunteer Firemen, Inc. is a non-profit corporation located in the City of Saratoga, which raises money for community and social activities. In 2000, during the first semi-annual campaign reporting period of January 1, 2000 through June 30, 2000, Respondent made a political contribution of \$20,000 to support the passage of a local ballot measure, and thereby qualified as a “major donor committee.” During the second semi-annual campaign reporting period of July 1, 2000 through December 31, 2000, Respondent made an additional \$30,491 in political contributions. Respondent violated the Political Reform Act by failing to timely file two semi-annual campaign statements, in violation of section 84200, subdivision (b) of the Government Code (2 counts). \$2,800 fine.

Conflict of Interest and Statement of Economic Interests Violations

In the Matter of Eileen McDonald, FPPC No. 04/002. Staff: Assistant Division Chief William L. Williams, Jr. Respondent Eileen McDonald was a member of the Newark Unified School District Board of Trustees from 1992 to 2003. Respondent violated the Political Reform Act by making governmental decisions in which she had a financial interest, in violation of Government Code section 87100 (15 counts), and by failing to disclose a business entity as an investment interest and a source of income on annual statements of economic interests, in violation of Government Code section 87300 (2 counts). \$29,000 fine.

Statement of Economic Interests Violations

In the Matter of Sean MacNeil, FPPC No. 02/271. Staff: Assistant Division Chief William L. Williams, Jr. Respondent Sean MacNeil was employed as the Legislative Coordinator for then-Assemblywoman Patricia Wiggins in 2002. Respondent MacNeil violated the Political Reform Act by signing the verification for two statements of economic interests for which he was not the filer, in violation of section 81004, subdivision (a) of the Government Code (2 counts). \$4,000 fine.

Statement of Economic Interests Violations – SEI Fast Track Program

In the Matter of Therese Hankel, FPPC No. 05/433. Staff: Enforcement Political Reform Consultant Jeanette Turvill. Therese Hankel, a member of the City of Mammoth Lakes Planning Commission, failed to timely file a 2004 annual statement of economic interests, in violation of Government Code section 87300 (1 count). \$100 fine.

-more-

In the Matter of Andrew Whitman, FPPC No. 05/432. Staff: Enforcement Political Reform Consultant Jeanette Turvill. Andrew Whitman, a member of the City of Ojai Planning Commission, failed to timely file a 2004 annual statement of economic interests, in violation of Government Code section 87203 (1 count). \$100 fine.

In the Matter of Vivianna Wolinsky, FPPC No. 04/416. Staff: Enforcement Political Reform Consultant Jeanette Turvill. Vivianna Wolinsky, a licensing manager for the Lawrence Berkeley National Laboratory, failed to timely file a 2003 annual statement of economic interests, in violation of Government Code section 87203 (1 count). \$250 fine.

In the Matter of John Larse, FPPC NO. 04/640. Staff: Enforcement Political Reform Consultant Wayne Imberi. John Larse, a member of the California Strawberry Commission, failed to timely file a 2003 annual statement of economic interests, in violation of Government Code section 87300 (1 count). \$100 fine.

Major Donor – Streamlined Program

Failure to Timely File Major Donor Campaign Statements. Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into stipulations for failing to file major donor campaign statements that were due during calendar year 2004, in violation of Government Code sections 84200 and/or 84605:

- **In the Matter of John Garland Bowes, FPPC No. 05-0465.** John Garland Bowes of San Francisco failed to timely file a semi-annual campaign statement disclosing contributions totaling \$99,564.25 (1 count). \$1,395.64 fine.
- **In the Matter of Marlin & Saltzman, A.P.C., FPPC No. 05-0486.** Marlin & Saltzman, A.P.C. of Agoura Hills failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 (1 count). \$400 fine.
- **In the Matter of American Civil Liberties Union of Northern California, FPPC No. 05-0490.** American Civil Liberties Union of Northern California, located in San Francisco, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$41,289.30 (1 count). \$400 fine.
- **In the Matter of Golden Corral Corporation, FPPC No. 05-0491.** Golden Corral of Raleigh, North Carolina failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 (1 count). \$400 fine.

-more-

Late Contribution – Streamlined Program

Failure to Timely File Late Contribution Reports – Proactive Program. Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into stipulations for failure to file late contribution reports in 2004, in violation of Government Code Section 84203:

- **In the Matter of Monterey County Republican Central Committee, FPPC No. 05-0012.** Monterey County Republican Central Committee of Salinas failed to timely disclose a late contribution totaling \$25,000 (1 count). \$3,500 fine.
- **In the Matter of Californians for Schwarzenegger, FPPC No. 05-0369.** Californians for Schwarzenegger of Santa Monica failed to timely disclose late contributions totaling \$43,400.00 (14 counts). \$6,510 fine.
- **In the Matter of Arnold Schwarzenegger’s Total Recall Committee, FPPC No. 05-0370.** Arnold Schwarzenegger’s Total Recall Committee of Santa Monica failed to timely disclose late contributions totaling \$56,000.00 (3 counts). \$8,400 fine.
- **In the Matter of The First American Corporation, FPPC No. 05-0374.** The First American Corporation of Santa Ana failed to timely disclose a late contribution totaling \$50,000.00 (1 count). \$3,500 fine.
- **In the Matter of California State Association of Counties - Non Public Funds, FPPC No. 05-0377.** California State Association of Counties – Non Public Funds of Sacramento failed to timely disclose a late contribution totaling \$55,000.00 (1 count). \$3,500 fine.

#####